IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CIVIL WRIT PETITION NO. 1911 OF 2006

DATE OF DECISION: March 08, 2007

Parties Name

Jagtar Singh

..PETITIONER

VERSUS

Financial Commissioner Revenue and others

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASBIR SINGH
HON'BLE MR. JUSTICE NIRMAL YADAV

PRESENT: Mr. Anupam Bhardwaj,
Advocate, for the petitioner.

Ms. Nirmaljit Kaur, Addl. A.G., Punjab

Mr. R.S. Chauhan, Advocate, for
respondent No. 3.

JASBIR SINGH, J. (oral)

Order.

Dispute in this writ petition pertains to appointment of Lambardar in village Batala, district Hoshiarpur. After hearing counsel for the parties, we feel that it is not necessary for us to pass any order on merits. It is apparent from the records that the petitioner and respondent No. 4 are the contesting candidates for the post of Lambardar. Respondent No. 4 was appointed by the Collector. Appeal, filed by the petitioner, was dismissed. He came in revision. As per averments made by the petitioner and as is apparent from the document Annexure P-14, his revision petition was accepted by the Financial Commissioner on October 25, 2005. Thereafter the matter was again fixed for hearing on December 06, 2005, on the pretext that on some points clarification was needed. On the said date,

instead of getting any clarification, the earlier order, allowing revision petition, was reversed and revision petition was dismissed. We have a doubt as to whether the Financial Commissioner is competent to act in the manner, as has been done in the present case. Be that as it may, in the interest of justice, we set aside orders Annexures P-14 and P-15 and remit the matter to the Financial Commissioner to decide revision petition, filed by the petitioner, afresh as per law. Parties are directed to appear before that Officer on March 30, 2007. Revision petition be disposed of within three months thereafter.

The writ petition stands disposed of in the above terms.

(Jasbir Singh)
Judge

(Nirmal Yadav)
Judge

March 08, 2007.
DKC